

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

CECIL WALTER MAX-GEORGE, JR. §
VS. § CIVIL ACTION NO. 9:19cv223
EQUIFAX INFORMATION SERVS. LLC §

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Cecil Max George, Jr., proceeding *pro se*, filed this lawsuit against Equifax Information Services LLC. The court previously referred this matter to a United States Magistrate Judge for consideration pursuant to applicable orders of the court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending this case be dismissed without prejudice for lack of subject-matter jurisdiction.

The court has received and considered the Report and Recommendation. Plaintiff filed objections. The court must therefore conduct a *de novo* review of the objections in relation to the pleadings and the applicable law.

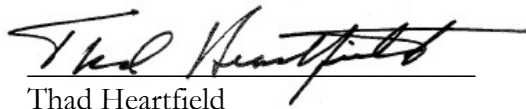
Plaintiff asserts he entered into a contract with the defendant whereby the defendant agreed to collect his private, personal information and data. Based on a data breach in 2017, plaintiff alleges the defendant failed to adequately protect his information and data. The magistrate judge's recommendation for dismissal was based on his conclusion that as plaintiff failed to state an injury as a result of the alleged data breach, he did not have standing to pursue this case.

In his objections, plaintiff attempts to establish standing by stating that the data breach caused his personal information to be exposed to unknown hackers. However, plaintiff has failed to identify any third party to whom data or information was exposed. Nor has he alleged he suffered any financial loss due to the data breach or sustained any other injury. Plaintiff therefore lacks standing to pursue his claim.

ORDER

Accordingly, the objections filed by plaintiff are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is hereby **ADOPTED** as the opinion of the court. A final judgment shall be entered dismissing this lawsuit in accordance with the recommendation of the magistrate judge.

SIGNED this the **1** day of **June, 2022**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield
United States District Judge